Guidance for 704 KAR 19:002

Alternative Education Programs in Kentucky

Kentucky Department of Education
Guidance for 704 KAR 19:002 Alternative Education Programs

Table of Contents

Kentucky Department of Education
Guidance for 704 KAR 19:002 Alternative Education Programs

<u>Introduction</u>

Historically, students with challenging or unacceptable behaviors, as defined by district or school codes of conduct, have been placed in alternative programs. The Kentucky Department of Education (KDE) is moving forward to help districts rethink alternative programs to meet the needs of each student based on innovative paths, digital learning and other alternative means. The goal is to provide rich and challenging learning environments that promote high levels of student engagement, achievement and success. This new approach will allow for a continuum of opportunities for students who are not thriving or experiencing success in a traditional setting. We encourage schools to think outside the box to offer or develop alternatives that support and challenge ALL students to be college-, career-, and life-ready.

For students stay on track during times of transition, KDE recommends districts develop a process for progress monitoring and analysis to ensure all students within alternative programs are college- and career-ready. [KRS 156.070](#) grants the Kentucky Board of Education the authority over the management and control of programs operated in the common schools. [KRS 156.160](#) grants the Kentucky Board of Education the specific authority to promulgate administrative regulations that establish standards which school districts shall meet in program service to students.

New administrative regulation, [704 KAR 19:002](#), establishes minimum requirements for the operation and monitoring of Alternative Education Programs in Kentucky school districts. This document provides the guidelines for schools and districts in Kentucky to assist with the implementation of 704 KAR 19:002.

Kentucky Department of Education
Guidance for 704 KAR 19:002 Alternative Education Programs

Part 1: Definitions

The following definitions are included in 704 KAR 19:002, Alternative Education Programs or for the purposes of this guidance document.

A-5 Alternative Program – An A-5 alternative program is a district-operated and district-controlled facility with no definable attendance boundaries. It is designed to provide services to at-risk populations with unique needs. The composition and characteristics of participants may change frequently and these are controlled by the local school district student assignment practices and policies.

A-6 Alternative Program – An A-6 alternative program is a district-operated instructional program in a non-district-operated institution or school. These programs are designed to provide services to at-risk state agency children, and the programs receive additional funding through Kentucky Education Collaborative for State Agency Children (KECSAC). Students in these programs may be involved with Department of Juvenile Justice, Department of Community Based Service (foster care), or Department for Behavioral Health, Developmental and Intellectual Disabilities.

Alternative Education – A program that exists to meet a student's needs that cannot be addressed in a traditional classroom setting, but through the assignment of students to alternative classrooms, centers, or campuses that are designed to remediate academic performance, improve behavior, or provide an enhanced learning experience. Alternative education programs do not include career or technical education centers or departments.

Blended Learning – Blended learning mixes face-to-face and online learning. Teachers in blended learning classrooms may use best practices from online learning as well as traditional classroom instruction and support for students.

Blended Learning Classrooms – Blended learning classrooms are those where best practices from both online/digital instruction and face- to-face instruction are used.

Credit Recovery – Credit recovery includes courses that allow students to make up credit for a class they have failed to pass or that help bring students up to grade level.

Credit Recovery Programs – Credit recovery programs aim to help schools graduate more students by giving students who have fallen behind the chance to "recover" credits through the use of different strategies, often online. Credit Recovery needs to be an authentic learning situation with rigor and relevance. Academic progress should be measured and assessed by the assigned classroom teacher. There should be on-going communication and feedback between the teacher and student to ensure academic progress.

Day Treatment Program – This is alternative program that may serve both district-referred and state agency students. These programs along with all other A6 programs are monitored by KECSAC for best practices and quality instruction.

Digital Learning – Digital learning involves the use of technology in the classroom to enhance instruction and increase student engagement. Technology may include: computers, iPads, SMART Boards, tablets or digital cameras

Individual Education Program (IEP) – An IEP is a written statement for a child with a disability, developed, reviewed and revised in accordance with 707 KAR 1:320.

Individual Learning Plan (ILP) – An ILP encompasses a comprehensive framework for advising students in grades 6-12 designed to engage students in coursework and activities that will best prepare them to both realize college and career success and become contributing members of their communities.

Individual Learning Plan Addendum (ILPA) – An ILPA is an action plan that addresses the changed educational needs of a student based upon entry into or exit from an alternative education program. It includes, as appropriate, academic and behavioral needs of the student, criteria for the student's re-entry into the traditional program and provisions for regular review of the student's progress throughout the school year while in an alternative education program.

Innovative Path – An innovative path is a new or creative alternative to existing instructional practices that is intended to address the unique needs of student learning and student performance of all students.

Involuntary Placement – An involuntary placement involves placing a student in an alternative education program by local district school personnel to ensure the safety of the individual student, the student body, or staff; to meet the educational needs of the student; to transition the student to a placement as a state agency child pursuant to KRS 158.135 and 505 KAR 1:080; or for disciplinary purposes.

Off-site program – An off-site program is an alternative education program that is located in a separate and dedicated program facility, not located within the student's assigned school.

On-site program – An on-site program is an alternative education program that is located within the student's assigned school.

Online Classes – Online classes are courses taught by an instructor who is not in the same location as the student taking the class.

Kentucky Department of Education
Guidance for 704 KAR 19:002 Alternative Education Programs

Online Learning – Online learning allows students to work at their own pace according to their needs to go further into the mastery of content that is of particular academic and career interest. Descriptors for this indicator are: increased instructional support for at-risk students, flexible scheduling and delivery format, online facilitation and support from qualified teachers.

School/Location Code – A school/location code is a number assigned to a school or program by the state for identification and data entry/collection within the student information system.

Technical Education Database System (TEDS) – TEDS is the authoritative source for all career readiness data. The TEDS website provides helpful tools and resources to verify and correct career readiness data.

Voluntary Placement – Voluntary placement involves the placement of a student in an alternative education program at the request of the parent or emancipated student and with the agreement of school personnel in order to better meet the educational needs of the student.

Kentucky Department of Education
Guidance for 704 KAR 19:002 Alternative Education Programs

Part 2: General Requirements for Alternative Programs

Administration Regulation 704 KAR 19:002, Alternative Education Programs

Districts shall have a written policy to ensure that alternative education programs are aligned with college- and career-readiness outcomes for all students and a written procedure for continuous monitoring of a student's progress toward the Kentucky Core Academic Standards in 704 KAR 3:303 and the student's Individual Learning Plan (ILP) goals. A student's ILP and Individual Learning Plan Addendum (ILPA) may contain similar information. However, the ILPA is required in addition to the ILP for students attending an alternative education program according to the regulation and guidelines in Part 4 of this document.

Students enrolled in alternative programs should be subject to the same minimum graduation requirements as other students and any other local district graduation requirements.

Districts will establish written policies and procedures for alternative programs to include each of the following:

1. Policy must identify the purpose of the program. KDE recommends a policy identifies the purpose of the program as well as its mission and vision, and include a process on how the district will check for ongoing and continuous improvement so all students are college- and career-ready. The Kentucky School Board Association assists schools with development of school board policies.

   a) KDE recommends districts establish written policies and procedures to annually review alternative program curriculum and update it as needed to ensure it is not limited in scope or design and that it meets the needs of all enrolled students. Evidence may include units and lesson plans aligned with and that identify the Kentucky Core Academic Standards.

   b) All professional development in the district should be made available to alternative program staff. Evidence may include training of staff and administrators in best practices for instruction to ensure all students are college- and career-ready. Documentation may also include a summary of notes from trainings and meetings attended and attendee signature pages.

2. Policy should define the process by which students are recommended for and enrolled into the alternative program. Each district needs to establish a committee for transitioning students into and out of the alternative program.

3. It is recommended that a process is in place to ensure that continuous progress monitoring for students is documented.

4. KDE recommends processes are in place for follow up with students who have transitioned back to their referring school in order to ensure students remain on track for college and career readiness.

6

Kentucky Department of Education
Guidance for 704 KAR 19:002 Alternative Education Programs

5. Compliance with 704 KAR 19:002 states that all students enrolled in an alternative program must have an ILPA. KDE recommendations and guidelines for the ILPA are listed in Part 4 of this document.

6 Procedures should be established for collaboration and communication with outside agencies involved with involuntary placements, including, but not limited to, courts and other social services agencies, to ensure successful transition for students moving between programs.

Kentucky Department of Education
Guidance for 704 KAR 19:002 Alternative Education Programs

Part 3: Placement and transition of students

1. The placement of students into an alternative program by the district shall be either voluntary or involuntary.
2. A student entering an alternative program shall meet the eligibility requirements for entering the program as adopted by local boards pursuant to regulation 704 KAR 19:002, section 2.
3. Each district shall develop and adopt a process for entering students into an alternative program.
    a) This process shall include:
        - eligibility criteria, as appropriate
        - collaboration with outside agencies involved with involuntary placements, which may include courts or social service agencies
        - a communication plan for the collaboration of persons involved in the placement, evaluation, monitoring and transition of the student. This may include: administration from both schools, parent(s), teachers, guidance counselors and outside agencies
        - students with an IEP shall be placed only through the student's Admissions and Release Committee (ARC)
        - students with a 504 plan shall be placed only through the recommendation of the 504 Team
        - for students with disabilities, the IEP shall address the changed educational delivery needs of the student based on entry into and exit from the alternative program
4. It is recommended; each district develop and adopt a transition plan for students to ensure the educational needs of the student are met and the student successfully transitions into and out of the alternative program.
    a) KDE recommends that this transition plan include: guidance counselors, teachers, administrators, parents and the student, when appropriate.
    b) The plan should account for regular assessment and monitoring of the student's needs and progress once placed in the alternative program, as well as transitioning back to the student's referring school.
    c) It is also recommended that the transition plan be followed until the student has successfully transitioned into or out of the alternative program.
5. When a Career and Technical Education (CTE) student has been placed in alternative program:
    a) If the student is placed in an alternative program and **will** continue to be enrolled in the CTE program at the A1 School, then
        - BEFORE end-dating the existing enrollment, create an enrollment at the alternative program with a start status of R02. The start date is the first day the student is enrolled in alternative program.
        - THEN open the enrollment at the A1 School and enter an end status of W02. The end date is the last day the student is in attendance in the A1 school.

This will keep the TEDS record for the CTE program at the school in which the student will continue CTE classes

b) If the student is placed in an alternative program and **will not** continue to be enrolled in the CTE program at the school, then

- End the student's enrollment at the A1 School with an end status of W02. The end date is the last day the student is in attendance at the A1 school.
- THEN create an enrollment at the Alternative School with a start status of R02. The start date is the first day the student is enrolled in the alternative program.
- This will end-date the TEDS record upon withdrawal from the A1 School

Part 4: Individual Learning Plan Addendum and Data

Data collection and reporting guidance

1. Each district shall utilize the state adopted student information system (Infinite Campus) for each student enrolled in an alternative program.

    a) Off-site programs without a school/location number are required to apply for one with KDE and will be assigned a number. This will allow programs to utilize the student information system for enrollment and withdrawal. Reasons for schools to enroll students into programs they are physically attending (off site alternative programs) include:

    - safety concerns and legal issues
    - tracking of students
    - monitoring of alternative programs effectiveness
    - teacher and administrative accountability
    - identifying innovative alternative programs

    b) For districts enrolling students in an alternative program within a different district for example, student in District A (home district) attends alternative program in District B

    - Student records, attendance, grades, etc. will be tracked at District B (where the student is receiving services).
    - Within the District B Alternative Program Enrollment record, select **District of Accountability** as District A and **School of Accountability** will be Example High School (District A) or Example Middle School (District A), whichever is applicable. This will be the school the student is being referred from.
    - This will ensure the home district receives the accountability results for this student.

    c) On-site alternative programs may utilize additional course sections for the content classes received in the alternative program within Infinite Campus indicating Special Course Type = Alternative. This may also be used for students taking only one or two courses within the on-site alternative program.

2. Each district shall use the statewide financial management system and chart of accounts to track costs and expenditures associated the operation of the district's alternative programs. Expenditures associated with alternative programs should be coded in MUNIS by utilizing the following program codes:

    a) Program code 451, Alternative Education – Activities for students assigned to alternative campuses, centers, or classrooms are designed to provide improved behavior modification and/or an enhanced learning experience.

    b) Program code 452, At Risk Education – Activities for students who may for either personal or scholastic reasons, be at risk to drop out of school.

Student ILPA
**The ILPA portion of regulation 704 KAR 19:002 will be implemented starting January 1, 2014.
KDE recommends having a process in place at the start of the 2013-14 school year for the
transition of students that includes components of the ILPA.**

1. All districts shall develop an Individualized Learning Plan Addendum (ILPA) for each student who is removed from their regular classroom placement for a time period greater than 10 consecutive days.

   a) A team shall be established for the development and completion of a student's ILPA. The team shall include an invitation to parents to participate, as well as the student, when appropriate.

   b) School personnel from both the alternative school and referring school should be included on the team. KDE recommends the inclusion of teachers, administrators, guidance counselors and outside agencies, when appropriate.

   c) The ILPA shall include as appropriate:
      - criteria for the student's re-entry into the traditional program; examples may include:
        i. set amount of days in program
        ii. completion of a level system
        iii. achievement of behavior goals
      - regular review of the student's progress while in the alternative program and transitioning out of the program. This may include:
        i. formative and summative assessments
        ii. standardized testing (MAP, TABE, etc.)
        iii. behavioral assessments or other progress monitoring tools

   d) KDE recommends the ILPA also include:

      - the academic and behavioral needs of the student, including the student's standardized test scores, current schedule and any and all modifications currently being used with the student for academic or behavioral purposes
      - the student's areas of strengths and weaknesses
      - the ILPA should be completed by the alternative program staff within a few days of the student being enrolled

Part 5: Personnel and Curriculum

Curriculum and student access

1. Each district shall develop and adopt a policy to ensure that the alternative program curriculum is aligned with college- and career-readiness outcomes for all students. Teachers not highly qualified in the subject area that they are teaching are required to use curriculum that has been developed by highly qualified staff in the appropriate subject area. It is the responsibility of the principal/district to have documentation available that details the highly qualified nature of these curricula. To determine if a teacher meets highly qualified teacher status use the following link:

    https://wd.kyepsb.net/EPSB.WebApps/HQCalculator/

2. Students enrolled in alternative programs should have opportunities to participate in one or more types of programs that address specific learning needs of the student. These may include:
    a) digital and blended learning classrooms
    b) online courses
    c) credit recovery programs
    d) hands on activities
    e) other innovative paths to ensure college and career readiness for students.

3. Districts shall develop and adopt a process to ensure alternative program curriculum is aligned with the Kentucky Core Academic Standards as outlined in 704 KAR 3:305.

4. Students enrolled in alternative programs should be subject to the same minimum graduation requirements as other students and any other local district graduation requirements.

5. Students enrolled in alternative programs should have equal access to district resources including:
    a) textbooks and other educational resources
    b) technology available to regular program students
    c) district library and district Library Media Specialists
    d) participation in extra-curricular activities when eligible

Personnel and Staffing

1. Alternative schools and programs are not required to have a certified school principal on staff. However, it is recommended that someone on site act in an administrative role.
    (Examples: Dean of Students, Director, Head Teacher)

2. Alternative schools and programs are not required to have a School Based Decision Making (SBDM) council.

3. Alternative school teachers are required to meet all the same teacher certification requirements as other district certified staff. Teachers not highly qualified in the subject area that they are teaching are required to use curriculum that has been reviewed regularly by highly qualified staff.

4. Alternative programs are not required to have a certified special education teacher on staff unless it is specifically stated within a student's IEP as a requirement to meet the student's needs. Alternative program teachers must collaborate with the district's special education staff to ensure the needs and modifications outlined within the student's IEP are being met.

5. Districts shall ensure that alternative programs include best practices training for all staff and administrators. This includes alternative program teachers and staff participating in district professional development opportunities.

6. Out of district students enrolled in an alternative program in your district should have district and school of accountability fields selected on the enrollment tab within the student information system (Infinite Campus).